



# FENWICK & WEST LLP

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TEL 415.875.2300 | FAX 415.281.1350 | WWW.FENWICK.COM

## FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE: August 18, 2004

CLIENT-MATTER NO.: 21685-08851

## TO:

NAME	FAX NO.	PHONE NO.
Commissioner for Patents	(703) 746-4060	

FROM: Robert A. Hulse  
SENT BY: Tracie BrooksPHONE: (415) 875-2444  
PHONE: (415) 875-2482

NUMBER OF PAGES WITH COVER PAGE: 11      ORIGINAL WILL NOT FOLLOW

## MESSAGE:

## RESPONSE TO NOTICE OF MISSING PARTS

Applicants: Sylvain P. Rebaud, et al.  
App. No.: 10/786,891  
Filing Date: February 24, 2004RECEIVED  
OIPE / JCWS  
AUG 19 2004

## CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR THEIR DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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PLEASE CALL Tracie Brooks AT (415) 875-2482 AS SOON AS POSSIBLE.

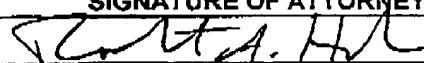
A1000/00103/SF/5121796.1



0001/PTO Rev. 10/95		U.S. Department of Commerce Patent and Trademark Office	Application Number <b>10/786,891</b>
		Filing Date <b>February 24, 2004</b>	
		First Named Inventor <b>Sylvain Pierre Rebaud</b>	
		Group Art Unit Number <b>2611</b>	
		Examiner Name <b>Unassigned</b>	
Total Number of Pages in This Submission <b>11</b>		Attorney Docket Number <b>21685-08851/US</b>	

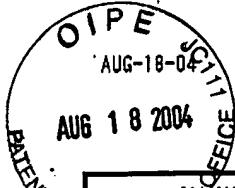
ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Deposit Account Authorization	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input checked="" type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ]
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Combined Declaration and Power of Attorney	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References	<input checked="" type="checkbox"/> Copy of Notice of Missing Parts
<input type="checkbox"/> Request for Corrected Filing Receipt	<input checked="" type="checkbox"/> Fax Cover Sheet
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/>
<input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final	<input type="checkbox"/>
<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>

## REMARKS:

SIGNATURE OF ATTORNEY OR AGENT		
Signature:		
Attorney/Reg. No.:	Robert Hulse, Reg. No. 48,473	Dated: August 18, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION		
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.		
Signature:		
Typed or Printed Name:	Robert Hulse	Dated: August 18, 2004
Facsimile Number:	1-(703) 746-4060	

21685/08851/SF/5126945.1

AUG-18-04 C-111  
06:59PM FROM-Fenwick & West

415 281 1350

T-453 P.003/011 F-492

# EE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)**

2160.00

Complete if Known	
Application Number	10786,891
Filing Date	February 24, 2004
First Named Inventor	Sylvain P. Rebaud
Examiner Name	Unassigned
Art Unit	2611
Attorney Docket No.	21685-08851/US

**METHOD OF PAYMENT** (check all that apply)
 Check  Credit Card  Money Order  Other  None  
 Deposit Account:
Deposit Account Number **19-2555**Deposit Account Name **Fenwick & West LLP**

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)	Fee		
1001 770	2001 385	Utility filing fee	770.00	
1002 340	2002 170	Design filing fee		
1003 530	2003 265	Plant filing fee		
1004 770	2004 385	Reissue filing fee		
1005 160	2005 80	Provisional filing fee		
<b>SUBTOTAL (1)</b>			<b>(\$)</b>	<b>770.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	63 -20= 43	x 18	= 774
Multiple Dependent	4 -3= 1	x 86	= 86
			<b>290</b>
			<b>= 290</b>

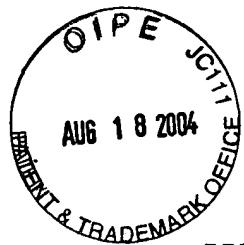
Large Entity	Small Entity	Fee	Fee	Fee Description
Code (\$)	Code (\$)	Fee	Fee	
1202 18	2202 9	Claims in excess of 20		
1201 86	2201 43	Independent claims in excess of 3		
1203 290	2203 145	Multiple dependent claim, if not paid		
1204 86	2204 43	--Reissue independent claims over original patent		
1205 16	2205 9	--Reissue claims in excess of 20 and over original patent		
<b>SUBTOTAL (2)</b>			<b>(\$)</b>	<b>1150.00</b>

\*\*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)				
3. ADDITIONAL FEES				
Large Entity	Small Entity	Fee Description	Fee Paid	
Fee Code (\$)	Fee Code (\$)			
1051 130	2051 65	Surcharge - late filing fee or oath		130.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	Non-English specification		
1812 2,520	1812 2,520	For filing a request for ex parte reexamination		
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1251 110	2251 55	Extension for reply within first month		110.00
1252 420	2252 210	Extension for reply within second month		
1253 950	2253 475	Extension for reply within third month		
1254 1,480	2254 740	Extension for reply within fourth month		
1255 2,010	2255 1,005	Extension for reply within fifth month		
1401 330	2401 165	Notice of Appeal		
1402 330	2402 165	Filing a brief in support of an appeal		
1403 290	2403 145	Request for oral hearing		
1451 1,510	1451 1,510	Petition to institute a public use proceeding		
1452 110	2452 55	Petition to revive - unavoidable		
1453 1,330	2453 685	Petition to revive - unintentional		
1501 1,330	2501 685	Utility issue fee (or reissue)		
1502 480	2502 240	Design issue fee		
1503 840	2503 320	Plant issue fee		
1450 130	1460 130	Petitions to the Commissioner		
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)		
1808 180	1808 180	Submission of Information Disclosure Stmt		
8021 40	8021 40	Recording each patent assignment per property (times number of properties)		
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))		
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))		
1801 770	2801 385	Request for Continued Examination (RCE)		
1802 900	1802 900	Request for expedited examination of a design application		
Other fee (specify)				
<b>SUBTOTAL (3)</b>			<b>(\$)</b>	<b>240.00</b>

\*Reduced by Basic Filing Fee Paid

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Signature	Registration No. (Attorney/Agent)	Date	Telephone (415) 875-2444
Robert A. Hulse		48,473	August 18, 2004	



PATENT

## IN THE UNITED STATES

## PATENT AND TRADEMARK OFFICE

APPLICANT(S): Sylvain P. Rebaud, et al.

APPLICATION NO.: 10/786,891

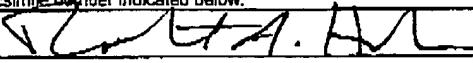
FILING DATE: February 24, 2004

TITLE: Media Delivery System Providing Conditional Access to Media Content From Various Client Devices

EXAMINER: Unassigned

GROUP ART UNIT: 2611

ATTY. DKT. NO.: 21685-08851

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.			
Signature:			
Typed or Printed Name:	Robert Hulse	Dated:	August 18, 2004
Facsimile Number:	1-(703) 746-4060		

MAIL STOP MISSING PARTS  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

08/19/2004 JBALINAH 00000038 192555 10786891 RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

05 FC:1251 110.00 DA  
SIR:

Responsive to the Notice to File Missing Parts dated May 18, 2004 received in the above-identified patent application,

Enclosed are:

- a copy of the Notice to File Missing Parts;
- an original, signed Combined Declaration and Power of Attorney;
- payment in the amount of \$2160 for the
- application filing fee;

21685/08851/SF/5126948.11

## PATENT

- fee for additional claims; multiple dependent surcharge
- missing parts surcharge; and
- extension fee for reply within first month
- Other

Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,  
SYLAIN P. REBAUD, ET AL

Dated: Aug. 18, 2004

By: Robert A. Hulse  
ROBERT A. HULSE, Reg. No.: 48,473  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (415) 875-2482  
Fax.: (650) 938-5200

21685/08851/SF/5126948.12

# BEST AVAILABLE COPY

AUG-18-04 07:02PM FROM-Fenwick &amp; West

415 281 1350

T-453 P.010/011 F-492

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/786,891	02/24/2004	Sylvain Picre Rebaud	21685-08851

00758  
FENWICK & WEST LLP  
SILICON VALLEY CENTER  
801 CALIFORNIA STREET  
MOUNTAIN VIEW, CA 94041

MAY 21 2004

CONFIRMATION NO. 3530

### FORMALITIES LETTER



OC000000012694464\*

Date Mailed: 05/18/2004

AUG 18 2004

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

#### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1150** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2050** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

08/19/2004 JBALINAN 00000038 192555 10786891

01 FC:1001	770.00	DA
02 FC:1051	130.00	DA
03 FC:1201	86.00	DA
04 FC:1202	774.00	DA

08/19/2004 JBALINAN 00000069 192555 10786891

01 FC:1203	290.00	DA
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AUG-18-04 07:02PM FROM Fenwick & West

415 281 1350

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Page 2 of 2

- Total additional claim fee(s) for this application is \$1150

- \$86 for 1 independent claims over 3.
- \$774 for 43 total claims over 20.
- \$290 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

*Murphy*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 1 - ATTORNEY/APPLICANT COPY